



11-14-06

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 21

Application Number 10/017,640

Filing Date December 14, 2001

First Named Inventor William Matz

Art Unit 3629

Examiner Name Jonathan P. Ouellette

Attorney Docket Number BS01342

**ENCLOSURES**

(Check all that apply)

- ☐ Fee Transmittal Form  
☐ Fee Attached

☒ Amendment/Reply

- ☐ After Final  
☐ Affidavits/declaration(s)

- ☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Response to Missing Parts/Incomplete Application  
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☒ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
Change of correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s)

- ☒ After Allowance Communication to Group  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Other Enclosure(s) (please identify below):

Remarks: This response is in reply to the September 25, 2006 Notice of Draftperson's Patent Drawing Review attached to the November 2, 2006 Notice of Allowance and includes:

1. Copy of September 25, 2006 Notice of Draftperson's Patent Review (Form 948);
2. Copy of November 2, 2006 Notice of Allowance;
3. Corrected, Formal Figures 1-7C identified with "Replacement Sheet"
4. Corrected, Formal Figures 1-7C NOT identified with "Replacement Sheet" to expediate allowance
5. Number of Drawing Sheets: 7 (with "Replacement Sheet"); 7 (without "Replacement Sheet")
6. Return Postcard

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Name (Print/Type)

Bambi Faivre Walters

Reg. No.:

45,197

Signature

Date

November 11, 2006

**CERTIFICATE OF TRANSMISSION / MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (Print/Type)

Maureen M. Pettine

Date

November 11, 2006

Signature



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Matz et al.

Group Art Unit: 3629

Application No.: 10/017,640

Examiner: Jonathan P. Ouellette

Filed: December 14, 2001

Title: "System and Method for Identifying Desirable Subscribers"

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37 C.F.R. § 1.8 CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Maureen Pettine

Name of Person Mailing This Paper

*Maureen M. Pettine*

Signature

*November 11, 2006*

Date of Mailing

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF CORRECTED FIGURES IN RESPONSE TO SEPTEMBER 25, 2006 NOTICE OF DRAFTPERSON'S PATENT DRAWING REVIEW**

Attached please find the corrected, formal drawings (FIGS. 1-7C) for with each sheet indicating the Title, Serial Number, Filing Date, Group Art Unit, Express Mail Number (EQ 561 178 411 US) and Responsible Attorney on the back of each sheet.

U.S. Patent Application No. 10/017,640  
Response to September 25, 2006 Notice of Draftsperson's Patent Drawing Review

Please find a copy of the following enclosures:

- (1) Copy of September 25, 2006 Notice of Draftsperson's Patent Drawing Review (Form PTO-948);
- (2) Copy of November 2, 2006 Notice to Allowance;
- (3) Corrected, Formal Figures 1-7C identified with "Replacement Sheet" in the margin pursuant to 37 CFR § 1.84;
- (4) Corrected, Formal Figures 1-7C NOT labeled with "Replacement Sheet" to expedite issuance (these are the same figures as described in #3, but do not include the language "Replacement Sheet" in the margin);
- (5) Number of Drawing Sheets: 7 (with "Replacement Sheet" in margin);  
7 (without "Replacement Sheet" in margin)
- (6) Transmittal Form; and
- (7) Return Postcard.

If any questions arise, the Office is requested to contact the undersigned at (757)-253-5729 (office), (757)-784-1978 (cellular), or [bambi@wzpatents.com](mailto:bambi@wzpatents.com).

Respectfully submitted,



Bambi F. Walters  
Attorney for the Assignee  
Reg. No. 45,197  
PO Box 5743  
Williamsburg, VA 23188

**NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW**

drawing(s) filed (insert date) 12/14/2001 arc:

- A. \_\_\_\_\_ approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

**1. DRAWINGS. 37 CFR 1.84(a):** Acceptable categories of drawings: Black ink or Color (3 sets required).

\_\_\_\_\_ Color drawings are not acceptable until petition is granted. Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

**2. PHOTOGRAPHS. 37 CFR 1.84(b)**

\_\_\_\_\_ One (1) full-tone set is required. Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Photographs may not be mounted. 37 CFR 1.84(e)  
\_\_\_\_\_ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Poor quality (half-tone). Fig(s) \_\_\_\_\_

**3. TYPE OF PAPER. 37 CFR 1.84(e)**

\_\_\_\_\_ Paper not flexible, strong, white, and durable. Fig(s) \_\_\_\_\_  
☒ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) 1-7C

**4. SIZE OF PAPER. 37 CFR 1.84(f):** Acceptable sizes:

\_\_\_\_\_ 21.0 cm by 29.7 cm (DIN size A4) or  
\_\_\_\_\_ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)  
\_\_\_\_\_ All drawing sheets not the same size. Sheet(s) \_\_\_\_\_  
\_\_\_\_\_ Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_

**5. MARGINS. 37 CFR 1.84(g):** Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
☒ Margins not acceptable. Fig(s) 1,2,4,5,7a  
\_\_\_\_\_ Top (T) ☒ Left (L)  
\_\_\_\_\_ Right (R) \_\_\_\_\_ Bottom (B)

**6. VIEWS. 37 CFR 1.84(h)**

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

\_\_\_\_\_ Views not labeled separately or properly. Fig(s) \_\_\_\_\_

**7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)**

\_\_\_\_\_ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) \_\_\_\_\_

**8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)**

\_\_\_\_\_ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

**9. SCALE. 37 CFR 1.84(k)**

\_\_\_\_\_ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) \_\_\_\_\_

**10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)**

\_\_\_\_\_ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) \_\_\_\_\_

**11. SHADING. 37 CFR 1.84(m)**

\_\_\_\_\_ Solid black areas pale. Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Solid black shading not permitted. Fig(s) \_\_\_\_\_

**12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)**

\_\_\_\_\_ Numbers and reference characters not plain and legible. Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Figure legends are poor. Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) \_\_\_\_\_  
\_\_\_\_\_ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) \_\_\_\_\_

☒ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) 1-7C

**13. LEAD LINES. 37 CFR 1.84(q)**

\_\_\_\_\_ Lead lines missing. Fig(s) \_\_\_\_\_

**14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)**

\_\_\_\_\_ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) \_\_\_\_\_

**15. NUMBERING OF VIEWS. 37 CFR 1.84(u)**

\_\_\_\_\_ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

**16. DESIGN DRAWINGS. 37 CFR 1.152**

\_\_\_\_\_ Surface shading shown not appropriate. Fig(s) \_\_\_\_\_  
\_\_\_\_\_ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) \_\_\_\_\_

COMMENTS:

Reviewer Tang

If you have questions, call (703)

305.0333 x132

Date

09/25/2006

Attachment to Paper No.

2006-0926



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov



## NOTICE OF ALLOWANCE AND FEE(S) DUE

11/02/2006

Walters & Zimmerman  
PO BOX 5743  
Williamsburg, VA 23188

EXAMINER

OUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 11/02/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,640	12/14/2001	William R. Matz	36968/265387	9378

TITLE OF INVENTION: SYSTEM AND METHOD FOR IDENTIFYING DESIRABLE SUBSCRIBERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$0	\$1400	02/02/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

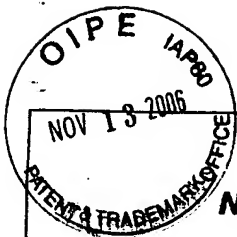
A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



## Notice of Allowability

Application No.

10/017,640

Examiner

Jonathan Ouellette

Applicant(s)

MATZ ET AL.

Art Unit

3629

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-**  
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/22/2006.
2. ☒ The allowed claim(s) is/are 1-3, 5-11, 16-22, 43, 44 and 49-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 20060724
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20060919
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_